

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Danielle Pagano	Team: Team # 4	CCRB Case #: 201214426	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 11/25/2012 4:10 PM	Location of Incident: 113-14 Liberty Avenue; 106th Precinct stationhouse	Precinct: 106	18 Mo. SOL 5/25/2014	EO SOL 5/25/2014	
Date/Time CV Reported Thu, 12/06/2012 7:40 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 12/11/2012 11:59 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Matthew Peters	25160	934461	106 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Bryan Marksteiner	01061	947212	106 PCT
2. SGT Pamela Mortis	03962	904628	106 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Matthew Peters	Abuse: PO Matthew Peters threatened to arrest § 87(2)(b) at § 87(2)(b) in Queens.	
B.POM Matthew Peters	Discourtesy: PO Matthew Peters spoke discourteously to § 87(2)(b) in the 106th Precinct stationhouse.	
C.POM Matthew Peters	Force: PO Matthew Peters used physical force against § 87(2)(b) in the 106th Precinct stationhouse.	

Case Summary

On December 6, 2012, § 87(2)(b) filed this complaint with IAB, log number 12-63331, via phone (enc. B1). The case was forwarded to the CCRB on December 11, 2012.

On November 25, 2012, at approximately 4:10 p.m. at 113-14 Liberty Avenue in Queens, PO Matthew Peters and PO Bryan Marksteiner of the 106th Precinct issued § 87(2)(b) a summons for parking in a bus lane and arrested § 87(2)(b) for disorderly conduct. The following allegations resulted from their actions:

- **Allegation A) Abuse of Authority: PO Matthew Peters threatened to arrest § 87(2)(b) at 113-14 Liberty Avenue in Queens.**

§ 87(2)(g)

- **Allegation B) Discourtesy: PO Matthew Peters spoke discourteously to § 87(2)(b) in the 106th Precinct stationhouse.**

§ 87(2)(g)

- **Allegation C: Force: PO Matthew Peters used physical force against § 87(2)(b) in the 106th Precinct stationhouse.**

§ 87(2)(g)

Results of Investigation

Civilian Statements

Complainant/Victim: § 87(2)(b)

- § 87(2)(b) is a § 87(2)(b)

CCRB Statement

On January 17, 2013, § 87(2)(b) was interviewed in her home at § 87(2)(b) in Brooklyn (enc. B1-B10).

On November 25, 2012, at approximately 4:10 p.m., in the vicinity of Liberty Avenue in Queens § 87(2)(b) did not know the exact address), § 87(2)(b) and her daughter, § 87(2)(b) § 87(2)(b) drove to a store to get medicine for a baby. § 87(2)(b) was driving and § 87(2)(b) was sitting in the backseat with the baby. Upon arrival, § 87(2)(b) pulled up into a bus lane so that § 87(2)(b) could run into the store quickly. § 87(2)(b) went into the back of the car to sit. When § 87(2)(b) came outside, she saw PO1, identified by the CCRB as PO Bryan Marksteiner of the 106th Precinct, writing a ticket next to the car. § 87(2)(b) told her daughter that they were getting a ticket, so § 87(2)(b) exited the vehicle. § 87(2)(b) tried to get PO Marksteiner to forgive the ticket by saying, “My daughter is right here, and it’s just the end part of the bus stop. My daughter just went into the back to take care of the baby.” PO Marksteiner started to walk back toward his RMP when § 87(2)(b) said to him, “Officer, you are very hard on taxpayers,” and went back inside the back passenger door of her car.

PO Marksteiner walked back toward the car, and when § 87(2)(b) tried to close the backdoor of the car on the driver’s side, he stood in between the door and the interior of the

vehicle, preventing § 87(2)(b) from closing the door. PO Marksteiner's partner, PO2, whom § 87(2)(b) identified as PO Matthew Peters of the 106th Precinct, exited his RMP and walked up to the car and asked § 87(2)(b) for her ID. § 87(2)(b) obtained PO Peters' name from her daughter, who asked him for his name and shield number at an unknown point during the incident. § 87(2)(b) responded that she was not driving the car and did not have her ID. PO Peters told PO Marksteiner that they needed to take § 87(2)(b) to the stationhouse. Both officers told § 87(2)(b) that they were going to take her down to the stationhouse and asked her to step out of the vehicle. When § 87(2)(b) asked why she had to exit the vehicle, PO Peters told her that she did not have her ID and could be arrested in New York State for not having an ID. § 87(2)(b) again asked why she had to step out of the vehicle. The officers asked § 87(2)(b) to step out of the car approximately three times, and § 87(2)(b) continued to refuse. PO Marksteiner grabbed § 87(2)(b)'s right forearm and PO Peters grabbed § 87(2)(b)'s jacket on her left side. They again asked her for her ID, and § 87(2)(b) told her daughter, who was sitting in the front driver's seat, to videotape what was happening. Both officers then tried to pull § 87(2)(b) out of the vehicle. She did not try to pull in the opposite direction because the baby seat was to her right, but she tensed her muscles to try to prevent them from pulling her out. After about five minutes, the officers were successful in removing § 87(2)(b) from the vehicle. PO Peters then pushed § 87(2)(b) against the car and attempted to handcuff her. She tried to resist arrest by moving her arms and said, "Why would you handcuff me?" PO Peters then took § 87(2)(b)'s hands and "wrenched" them around her back but was unable to handcuff her, so he called for backup on his radio. § 87(2)(b) then fell on the ground, her back making contact with it. She initially stated that the officers pushed her but later during the interview stated that she was unsure how she fell.

Two female police officers arrived at the scene. PO3 was a uniformed Hispanic female, and PO4 was a uniformed black female, identified by the CCRB as Sgt. Pamela Mortis of the 106th Precinct. Sgt. Mortis took § 87(2)(b) in her RMP to the stationhouse. PO Peters walked into the stationhouse shortly thereafter, while § 87(2)(b) was standing by the desk speaking with the desk sergeant. PO Peters walked over to § 87(2)(b) called her a "bitch," and pushed her in the center of her back. § 87(2)(b) was unable to recall whether he pushed her with one or two hands but believed that he pushed her with a closed hand because she felt his fist. Sgt. Mortis then approached PO Peters and said, "Listen, stop, enough!" and took him to a separate room to speak with him. § 87(2)(b) was not in the stationhouse during this incident.

§ 87(2)(b) Her demeanor during the entire incident was calm and she did not yell or curse. § 87(2)(b) had bruises on her right wrist as a result of the handcuffs and pain in her head and neck from her fall during the incident.

Victim: § 87(2)(b)

- § 87(2)(b) is at § 87(2)(b)

CCRB Statement

On January 17, 2013, § 87(2)(b) was interviewed in her home at § 87(2)(b) in Brooklyn. Her statement is summarized below (enc. C1-C6).

On November 25, 2012, at approximately 4:10 p.m., in the vicinity of Liberty Avenue in Queens § 87(2)(b) did not recall the precise location) § 87(2)(b) was with her mother, § 87(2)(b) drove herself, her mother, and a baby to a store (she could not recall the store's name) on Liberty Avenue to get medicine for the baby, who was sick. She pulled into a bus-stop lane, and her mother ran inside the store. § 87(2)(b) stayed in the car with the baby, sitting in the driver's seat so that she could pull out if a bus came. The baby started crying, so § 87(2)(b) moved into the back of the vehicle. Several minutes

later, § 87(2)(b) exited the store and § 87(2)(b) saw her speaking with a police officer, whom she identified as “PO Markham” through the front passenger’s side window. The CCRB identified “PO Markham” as PO Marksteiner of the 106th Precinct. § 87(2)(b) obtained his name from viewing his badge at an unknown point during the incident.

§ 87(2)(b) got out of the car and asked him not to write her a ticket, as she was in the backseat and could easily have moved the car if a bus had come. PO Marksteiner said that he had circled the vehicle twice and did not see anyone in the car. § 87(2)(b) continued to speak with PO Markham to try to get him to forgive the ticket. § 87(2)(b) reentered the car on the driver’s side in the front, and § 87(2)(b) came around the back of the car to put away the items that she had purchased; § 87(2)(b) told PO Marksteiner that he was abusing his authority as she was putting the items away. PO Marksteiner began to walk back to his RMP, when § 87(2)(b) said to him that she and her family were taxpayers and should not be treated by the police in that manner. Upon hearing this, PO Marksteiner walked back to § 87(2)(b)’s car and asked § 87(2)(b) for her ID as § 87(2)(b) was entering the back passenger side of the vehicle. § 87(2)(b) asked him why he wanted her ID, but he would not provide a reason. PO Marksteiner again asked for § 87(2)(b)’s ID, who again refused to provide it. PO Marksteiner asked for her ID several additional times and told her that it is illegal in NY to go in public without an ID, and that she could be arrested for not having one with her. While § 87(2)(b) was speaking with PO Marksteiner, she did not yell or use profanity, and her demeanor was calm. She asked repeatedly why the officers needed her ID.

“PO Peterson,” whom the CCRB identified as PO Peters of the 106th Precinct, then walked toward § 87(2)(b)’s car. § 87(2)(b) saw his name on his badge when he first walked over to her vehicle. PO Peters also provided her with a piece of paper with his name and badge number at the stationhouse but she did not have it at the time of her interview. § 87(2)(b) entered the car and moved to close the door, but PO Marksteiner prevented her from closing it by pulling the door back toward him. § 87(2)(b) asked § 87(2)(b) to record what was happening on her phone, and § 87(2)(b) took out her phone and started to record while she was sitting in the driver’s seat. PO Peters came up to the driver’s side window, tried to grab § 87(2)(b)’s phone, and said that he would take her into the stationhouse and put her in jail for recording anything. Although PO Peters’ hand motioned to grab § 87(2)(b)’s phone and was able to touch it, § 87(2)(b) pulled her phone away so that PO Peterson was unable to take it, but her phone died, so she was not able to record the incident. PO Peters did not try to take her phone again. PO Peters then told § 87(2)(b) that she needed to provide her ID or she would be taken to the stationhouse. At this point, PO Marksteiner was standing next to the open car door on the passenger back side, beside PO Peters.

§ 87(2)(b) then saw PO Marksteiner pull § 87(2)(b) out of the car by her shoulder and arms but could not see what PO Peters was doing because PO Marksteiner was blocking her view. § 87(2)(b) said to the officers, “What are you doing? Let me go!” and wriggled her shoulders to get PO Peters to release her. It took the officers only a few seconds to get § 87(2)(b) out of the vehicle. Both officers then pushed her up against the car and held her arms, PO Marksteiner standing to the left of § 87(2)(b) and PO Peters to the right. § 87(2)(b) continued to wriggle so that they could not handcuff her, and this continued for approximately one minute. PO Peters used his radio to call for reinforcements, saying that § 87(2)(b) was being uncooperative. Both officers then got § 87(2)(b) to the ground § 87(2)(b) did not know how), where she stayed for approximately one minute. At this point during the incident, § 87(2)(b) was still not handcuffed.

Another marked RMP arrived at the scene, and an officer, identified by the investigation as Sgt. Mortis, exited from the vehicle. Sgt. Mortis helped restrain § 87(2)(b) placed § 87(2)(b) into her RMP, and drove her back to the Precinct. § 87(2)(b) drove behind the

RMP to the Precinct. Once inside the stationhouse, § 87(2)(b) was sitting about seven to ten feet from PO Peters, who was sitting in front of a computer screen, and loudly asked for his name and badge number. He did not respond verbally or physically. Sgt. Mortis and PO4, a heavyset white male officer, both heard her ask PO Peters for his name and badge number, and Sgt. Mortis told him that anytime a civilian asked for a name and badge number, he had to answer. PO Peters told Sgt. Mortis that he did not want to speak with § 87(2)(b) but Sgt. Mortis reprimanded him, so he wrote down his name and shield number on a piece of paper and gave it to § 87(2)(b). Sgt. Mortis then took PO Peters aside, and § 87(2)(b) heard her tell him that he had an attitude since the morning and that he needed to stop behaving that way.

NYPD Statements

Subject Officer: PO MATTHEW PETERS

- PO Peters is a § 87(2)(b).
- On November 25, 2012, PO Peters worked with PO Marksteiner in uniform from 3:00 p.m. to 11:35 p.m. They were assigned to Sector Patrol in a marked RMP, number 4781.

Memo Book

PO Marksteiner had the following Memo Book entries regarding the incident (enc. D1-D3):

4:06 p.m.: Vehicle stop at 113-14 Liberty Avenue. Parking Summons number § 87(2)(b)

issued. 4:10 p.m.: One under at location for disorderly conduct and resisting arrest, § 87(2)(b)

DOB § 87(2)(b)

CCRB Statement

On November 25, 2012, at approximately 4:10 p.m., PO Peters and his partner, PO Marksteiner, were driving down Liberty Avenue in Queens when they noticed a caravan parked westbound in a bus stop in front of 113-14 Liberty Avenue. They parked their RMP in a westbound direction as well, to the left back side of § 87(2)(b)'s car. PO Marksteiner exited the car and issued a parking summons for the vehicle. After he finished writing it, § 87(2)(b) came out of the grocery store and approached PO Marksteiner and told him that the vehicle he was issuing a summons to was hers. She asked him why he gave her a parking summons, and PO Marksteiner explained that it was a bus stop. § 87(2)(b) started began yelling at PO Marksteiner for issuing her daughter a ticket. She mentioned that her daughter, § 87(2)(b) was in the seat because she was under the impression that the officers could not issue summonses to vehicles if people were in them. PO Marksteiner did not see § 87(2)(b) until § 87(2)(b) pointed her out because the windows were tinted. A large crowd gathered to watch, though PO Peters was unable to recall how many people gathered. PO Peters was able to hear this entire interaction because his window was partially open.

At this point, PO Peters stepped out of the car and saw § 87(2)(b) for the first time, but did not have any interaction with her. § 87(2)(b) went from the backseat to the front. PO Peters explained to § 87(2)(b) that her car was parked in a bus stop illegally. She refused to listen to him and told the officers that they were harassing her, that her "taxes pay their salaries" and that the officers had nothing better to do. She did not use any foul language. PO Marksteiner remained calm even though § 87(2)(b) was yelling at him. He asked her for her ID, and she refused to give it to him.

PO Peters and PO Marksteiner asked § 87(2)(b) again for her license, and she said that she did not have it. They asked for her license several additional times, but she refused to give them her license. PO Peters then asked her to step out of the car because they were going to issue

her a summons for disorderly conduct and needed her ID. She still refused to step out of the vehicle. The officers told her that they could take her to the stationhouse if she did not provide them with her ID because they needed to verify her identity in order to issue her a summons. § 87(2)(b) told her § 87(2)(b) to write down the officers' names and shield numbers, but PO Peters did not know if she did so. He did not recall if she asked her § 87(2)(b) to film the incident and did not recall if § 87(2)(b) took out her cell phone to record the incident. PO Peters did not threaten to arrest § 87(2)(b) for filming the incident. PO Peters and PO Marksteiner then pulled § 87(2)(b) out of the vehicle by her arms because she still refused to come out. The officers tried to handcuff § 87(2)(b) but § 87(2)(b) flailed her arms, preventing them from doing so. One of the officers radioed for assistance, though PO Peters was unable to recall whether he made the call or PO Marksteiner did. At one point during the incident (PO Peters did not know exactly when) § 87(2)(b) somehow fell, though the officers did not cause her to fall. The officers were eventually able to handcuff her. PO Peters did not recall who responded to the scene or how many officers responded. Two officers took § 87(2)(b) back to the stationhouse, but he was unable to recall whom.

Once at the stationhouse, PO Peters held § 87(2)(b) by one of her arms in front of the front desk before § 87(2)(b) was searched because she kept turning around and refused to stand still. She was crying and screaming, but PO Peters could not recall what she said. PO Peters did not recall if he called § 87(2)(b) a "bitch." He did not use any other swear words directed at § 87(2)(b). He did not witness any other officers swear at § 87(2)(b). He did not push § 87(2)(b) or witness any other officer push her. Sgt. Pamela Mortis was PO Peters' supervisor that day; he did not recall who else was in the stationhouse.

Witness Officer: PO BRYAN MARKSTEINER

- PO Marksteiner is a § 87(2)(b).
- On November 25, 2012, PO Marksteiner worked with PO Peters from 9:52 a.m. to 10:06 a.m. They were dressed in uniform and assigned to Precinct Sector Patrol in marked RMP number 4208.

Memo Book

PO Marksteiner had the following Memo Book entries regarding the incident (enc. E1-E3):

4:00 p.m.: Summons for no standing bus stop. Summons number § 87(2)(b)

4:10 p.m.: One under § 87(2)(b) of § 87(2)(b) in Brooklyn. Disorderly conduct and resisting arrest in front of 113-14 Liberty Avenue. Arrest number § 87(2)(b)

Arrest Report

The arrest report for § 87(2)(b) stated the following: "At [time and place of occurrence PO Marksteiner] issued § 87(2)(b) a parking summons, at which time § 87(2)(b) became irate yelling and screaming at officers causing a crowd to gather. The defendant refused to give ID at which time officers attempted to arrest defendant. Defendant started flailing her arms and refused to be handcuffed." The arrest report stated that force was used in order to remove § 87(2)(b) from the vehicle and restrain her. PO Marksteiner was § 87(2)(b)'s arresting officer, and she was charged with resisting arrest and disorderly conduct (enc. E4-E5).

Summons

PO Marksteiner issued § 87(2)(b) parking summons number § 87(2)(b) (enc. E6).

CCRB Statement

PO Marksteiner was interviewed at the CCRB on February 15, 2013 (enc. E1-E8).

At approximately 4:10 p.m. on November 25, 2012, PO Marksteiner was driving down Liberty Avenue in Queens when he noticed a truck unoccupied and illegally parked at a bus stop. He went around the block because he did not want to reverse and cause an accident, and when he returned a few minutes later, the truck was still unoccupied. He parked behind it, walked up to the car, looked inside and did not see anyone inside. He wrote a summons and was about to put it on the window of the car and walk away when § 87(2)(b) came running outside of a store and said, "My daughter is in the car; why the fuck are you writing a summons?" PO Marksteiner responded, "Miss, there's no one in the car." § 87(2)(b) opened up the front door and was surprised to see that her daughter was not there. She opened up the backseat and saw her daughter sprawled across the backseat sleeping with a computer in her lap. PO Marksteiner did not remember whether or not there was a baby in the backseat. § 87(2)(b) said, "See, my daughter was in the car," and then yelled at her daughter for falling asleep. PO Marksteiner said, "I'm sorry, but I've already written the summons. I looked in the car and couldn't see in the back because the truck has tints. If your daughter had come out of the car, I wouldn't have written the summons, but now there's nothing I can do." He then handed the summons to § 87(2)(b)'s daughter, identified as § 87(2)(b) who was polite and said, "Thank you; I'm sorry I parked there."

PO Marksteiner proceeded to walk back to his RMP (he assumed that at this point, § 87(2)(b) went into the front seat), and as he was about to go inside, § 87(2)(b) yelled, "Why the fuck did you write a summons when my daughter was in the car?" PO Marksteiner told § 87(2)(b) to go in the car and drive away about six or seven times while § 87(2)(b) continued screaming. She yelled, "My tax dollars pay your salary!" At this point, a crowd of about 20 people began to gather, and cars going down the street stopped to look. PO Marksteiner told § 87(2)(b) that this was the last time he was going to ask her to go inside her car and drive away before he had to escalate it to the next level. § 87(2)(b) responded, "Go fuck yourself." PO Marksteiner and PO Peters then walked up to the truck together, PO Peters behind PO Marksteiner, and § 87(2)(b) jumped into the backseat of the car. PO Marksteiner asked § 87(2)(b) to "please step out of the car," but she refused. He continued to ask her to step out of the car and then asked her for her ID. § 87(2)(b) told PO Marksteiner to "go fuck" himself and that she did not need to give him her ID. PO Marksteiner responded that, "This is New York and you need to have an ID with you at all times." He needed her ID to issue her a summons. She then tried to slam the car door shut, but the officers held the door open. PO Marksteiner did not believe that § 87(2)(b) ever asked § 87(2)(b) to film the incident, and PO Peters did not threaten to arrest § 87(2)(b) for filming.

§ 87(2)(b) then said, "You know what I have? I fucking have something for you" and reached into the center of the car for a bag. The officers did not know what she was grabbing, so they grabbed her hands and pulled her out of the car. She tried to fight with the officers, and she had a bubble jacket on, so the handcuffs kept getting caught in her jacket. She fought with the officers by waving her arms and tried to rip them out of PO Marksteiner hands. As they tried to handcuff her, she somehow fell on the floor, and the officers fell on top of her. PO Peters called for officer assistance because they were having trouble handcuffing § 87(2)(b) though they were eventually able to get the handcuffs on. He was unable to recall who responded.

PO Marksteiner did not have any interaction with § 87(2)(b) in front of the desk at the stationhouse. He did not see PO Peters push her in the back and did not hear PO Peters call her a

“bitch.” He did not recall who searched § 87(2)(b) at the stationhouse. § 87(2)(b) at no point asked § 87(2)(b) to film what was happening but did ask her to write down the officers’ badge numbers. § 87(2)(b) was not injured at all during the incident.

Witness Officer: SGT. PAMELA MORTIS

- Sgt. Mortis is a § 87(2)(b).
- On November 25, 2012, Sgt. Mortis worked in uniform from 2:50 p.m. to 11:47 p.m. She was assigned to Patrol Supervisor in a marked RMP but did not recall the RMP number or whom her operator was.

Memo Book

Sgt. Mortis had the following Memo Book entries regarding the incident (enc. C1-C2):

4:00 p.m.: 84 (arrived at scene), 113 and Liberty Avenue. 92C (crime arrest), PO Marksteiner, disorderly female.

CCRB Statement

Sgt. Mortis was interviewed at the CCRB on March 11, 2013 (enc. F1-F5). Her statement is summarized below.

On November 25, 2012, at approximately 4:00 p.m., Sgt. Mortis was called to the scene at 113-14 Liberty Avenue to verify an arrest for disorderly conduct. Upon arrival, she observed PO Marksteiner and PO Peters with § 87(2)(b) who was in handcuffs in front of her vehicle.

§ 87(2)(b) was uncooperative and refused to stand still. PO Marksteiner and PO Peters took § 87(2)(b) back to the stationhouse. While at the stationhouse, PO Peters was forced to grab § 87(2)(b) to hold her in front of the stationhouse desk because she was being uncooperative. She refused to stand still and was shouting things such as, “I shouldn’t be here!” She was not yelling at any of the officers. PO Peters was agitated by this and spoke to § 87(2)(b) in a loud manner. Sgt. Mortis did not remember what he said or if he called § 87(2)(b) a bitch. PO Peters did not swear in Sgt. Mortis’s presence. PO Peters did not use any type of force other than holding § 87(2)(b) still. Sgt. Mortis did not see PO Peters push § 87(2)(b) in the back.

Sgt. Mortis told PO Peters to “take it easy” because he was being loud. She told him to come away from § 87(2)(b) and let PO Marksteiner take care of it. § 87(2)(b) was not compliant while PO Peters was holding her but became more compliant once another officer switched places with him. Sgt. Mortis recalled that it may have been PO Marksteiner who switched places with him but was not certain.

§ 87(2)(b)

Status of Civil Proceedings

- As of March 14, 2013, § 87(2)(b) has not filed a Notice of Claim with the City of New York in regards to this incident (enc. I3).

§ 87(2)(b)

§ 87(2)(b)

Subject Officer CCRB History

- The CCRB has not substantiated any allegations against PO Peters in his eight years of service to the NYPD (enc. A1). The CCRB has not substantiated any allegations against PO Marksteiner in his four years of service to the CCRB (enc. A2).

Conclusion

Identification of Subject Officers

- PO Peters and PO Marksteiner both acknowledged interacting with § 87(2)(b) and § 87(2)(b).

Investigative Findings and Recommendations

- **Allegation A) Abuse of Authority: PO Matthew Peters threatened to arrest § 87(2)(b) at 113-14 Liberty Avenue in Queens.**
§ 87(2)(b) stated that PO Peters threatened to arrest her after she took her cell phone out in order to film, at her mother's request. § 87(2)(b) also stated that she asked § 87(2)(b) to film the incident but did not mention that she ever heard PO Peters threaten to arrest § 87(2)(b). It seems likely that § 87(2)(b) and § 87(2)(b) would have wanted to film the incident. Despite this, there is no evidence that PO Peters ever threatened to arrest § 87(2)(b) and there is no video footage of the incident. § 87(2)(b) stated this was because her phone died).

§ 87(2)(b), § 87(2)(g)

- **Allegation B) Discourtesy: PO Matthew Peters spoke discourteously to § 87(2)(b) in the 106th Precinct stationhouse.**

§ 87(2)(b) stated that PO Peters called her a "bitch," while holding her in front of the stationhouse desk. PO Peters stated that he was unable to recall whether or not he said this to § 87(2)(b). He also stated that she was being uncooperative by continuously turning, refusing to stand still, and screaming and crying. This very well may have caused PO Peters to become frustrated and swear at § 87(2)(b). Sgt. Mortis, PO Peters' supervisor, also stated that § 87(2)(b) was yelling and moving around while at the stationhouse desk. She stated that this agitated PO Peters and that he spoke "loudly" to § 87(2)(b). Despite the fact that Sgt. Mortis stated that she never heard PO Peters swear at § 87(2)(b), she felt that it was necessary to tell PO Peters to "take it easy" and have another officer handle the situation, which indicates that he was handling the interaction with § 87(2)(b) incorrectly. Although § 87(2)(b) did not witness this interaction between § 87(2)(b) and PO Peters at the stationhouse, she had her own interaction with PO Peters while there. She stated that PO Peters initially refused to provide her with his name and badge number and that he told Sgt. Mortis that he did "not want to talk to § 87(2)(b)" when Sgt. Mortis reprimanded him. Additionally, she said that Sgt. Mortis told PO Peters that he had had "an attitude problem all day and needed to stop behaving like that." This

§ 87(2)(b), § 87(2)(g)

- **Allegation C: Force: PO Matthew Peters used physical force against § 87(2)(b) in the 106th Precinct stationhouse.**

§ 87(2)(b) stated that PO Peters pushed her in the back while she was in the stationhouse, which PO Peters denied. § 87(2)(b), § 87(2)(g)

§ 87(2)(b). Sgt. Mortis also stated that PO Peters never pushed § 87(2)(b) while in the stationhouse. PO Marksteiner denied witnessing this and stated that he did not interact with § 87(2)(b) at all near the stationhouse desk. § 87(2)(b), § 87(2)(g)

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date